

REMARKS

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant thanks the Examiner for granting an interview on June 11, 2008 to discuss this amendment. The Examiner expressed her opinion that the additional limitation of amended claim 6 avoids the prior art and that the application is allowable, subject to an updated search. The following will summarize the discussion of the interview.

Claims 4-6 are rejected under 36 U.S.C. 103(a) as being unpatentable over Shimizu et al. (JP 2001-059133), and further in view of Delaunay et al (USP 6,761,779).

According to the Examiner Delaunay teaches that the length of the zone of preheating (i.e. oxidation treatment) can be modified to obtain the optimum level of oxidation. To support her argument the Examiner refers to column 3, lines 3-11 of the reference. However, the cited portion of the reference does not support the Examiner's position. It does not establish a relation between the length of the treatment zone and the type of oxidation. Actually this portion of the patent indicates that it is temperature and atmosphere conditions that are optimal with regard to oxidation.

Nevertheless, in order to advance the prosecution, the foregoing amendment proposes cancellation of all the claims with the exception of a comprehensive claim 6 having an additional limitation, namely, passing the strip over a combination of fixed rollers and moving rollers for allowing the length of strip between the heating means (8) and the inlet of the furnace (3) to be varied. This limitation is supported on page 9, lines 16-19 of the specification as well as Figs 5 and 6 of the present application.

The invention as claimed in amended claim 6 permits an important adjustment of the distance between the heating element and the furnace inlet so as to affect the strip oxidation time in a relatively reduced space.

None of the cited references show or suggest this solution which can be easily performed since the oxidation treatment according to the invention is performed in an ambient atmosphere and outside of an enclosure as described on page 6, lines 29-31 of the specification.

In view of the above, consideration and allowance are, therefore, respectfully solicited.

In the event the Examiner believes an interview might serve to advance the prosecution of this application in any way, the undersigned attorney is available at the telephone number noted below.

The Director is hereby authorized to charge any fees, or credit any overpayment, associated with this communication, including any extension fees, to CBLH Deposit Account No. 22-0185, under Order No. 21029-00272-US from which the undersigned is authorized to draw.

Dated: June 11, 2008

Respectfully submitted,

Electronic signature: /Morris Liss/
Morris Liss

Registration No.: 24,510
CONNOLLY BOVE LODGE & HUTZ LLP
1875 Eye Street, NW
Suite 1100
Washington, DC 20006
(202) 331-7111
(202) 293-6229 (Fax)
Attorney for Applicant